

## Article - Natural Resources

[\[Previous\]](#)[\[Next\]](#)

§8–704.

(a) The Department may adopt regulations necessary to carry out the provisions of this subtitle, including the determination of the state of principal use for the purpose of assessing the vessel excise tax.

(b) In order to protect the public safety, welfare, and recreational interests in waters of the State, the Department may adopt a program relating to the placement of buoys, mooring buoys, and other apparatus used to secure, berth, or moor vessels in the waters of the State. The Department shall consult with any county affected by the program.

(c) The Department shall adopt regulations governing the following:

(1) The numbering of vessels for identification, safety equipment on vessels, and operations of any vessels subject to this subtitle so that each vessel of a type or size complying with the regulations may be operated with equal freedom or under similar requirements as other vessels of that type or size on all waters of the State. The numbering system used shall conform to the one adopted by the federal government. These regulations may not conflict with any federal law or regulation applicable to vessels on the waters in the State;

(2) The issuance of certificates of title and certificates of boat number;

(3) Instructions for making reports and handling personnel and boats in case of accidents;

(4) Abandonment, destruction, theft, recovery, sale, or transfer of ownership;

(5) Change of address of owner;

(6) Use of boats from other jurisdictions on the waters of the State;

(7) Issuance of certificates of number for boats changing their state of principal use to Maryland;

(8) Cooperation with local governments and the federal authority for special events or to meet emergency situations; and

(9) Issuance of certificates of number to owners of fleets or boats for hire or rent.

(d) (1) The Department shall adopt regulations prohibiting the operation of personal watercraft above idle speed in any area of water with a depth of less than 18 inches.

(2) Except as provided in paragraph (1) of this subsection, the Department may adopt regulations limiting the use of personal watercraft in any area of water with a depth of less than 1 meter.

(e) Department regulations do not become effective unless advertised publicly in at least 2 daily newspapers of general circulation and at least 1 weekly newspaper serving the area or areas involved at least 45 days before the effective date. If 50 citizens of the State file a petition with the Department at least 15 days prior to the effective date, the Department shall conduct a public hearing on the proposed regulations.

(f) A municipality or other local authority may not establish any regulation of a local nature which does not conform with the Department's regulations.

(g) On any proposed regulation affecting the equipment or operation of any vessel subject to this subtitle, the Secretary shall solicit the advice and opinions of officials of representative boating associations, yacht clubs, and local, State, or federal governments or officials, having knowledge or experience with the subject matter of the proposed regulations. These representatives and officials serve as an advisory committee appointed by the Secretary to review the proposed regulations.

(h) The Department, with the endorsement of the Secretary of Natural Resources and the Secretary of the Environment, after a public hearing following 60 days' notice, shall adopt and publish sound level limits governing the noise generated by the operation of pleasure craft on the waters of the State. The sound level limits shall be established at the most restrictive level consistent with the environmental noise standards adopted by the Department of the Environment which is achievable through the application of the best available technology and at a reasonable cost. The Department shall adopt regulations for the administration and enforcement of the sound level limits, taking into account accepted scientific and professional methods for measurement of sound levels.

(i) The Department shall adopt regulations to prohibit a person from:

(1) Operating an unauthorized vessel over a power boat race course;  
or

(2) Swimming across a boundary of a power boat race course.

[\[Previous\]](#)[\[Next\]](#)